



**TESTIMONY OF
THE CONNECTICUT JUVENILE JUSTICE ALLIANCE
FOR THE COMMITTEE ON PLANNING AND DEVELOPMENT
HEARING ON AN ACT CONCERNING IN-SCHOOL SUSPENSIONS
PROPOSED BILL No. 5526**

FEBRUARY 23, 2008

This testimony is submitted by Lara Herscovitch, Senior Policy Associate at the Connecticut Juvenile Justice Alliance (Alliance). The Alliance is a statewide, non-profit organization that works to reduce the number of children and youth entering the juvenile and criminal justice system, and advocates a safe, effective and fair system for those involved.

The Alliance strongly opposes Bill No. 5526, concerning in-school suspensions. The implementation of the general statutes, which is meant to discourage out-of-school suspension, must not be delayed. Governor Rell herself explained the importance of this bill when she signed it into law in 2007. She said, "Students should be removed from the school setting only under the most exceptional circumstances." She also said:

"Student learning takes place primarily when students are in school. That is why we need policies like this that keep students in school, not at home. Keeping children out of school is a direct line to delinquent behavior. Students get farther behind in their course work. They lose hope of catching up. It's a recipe for failure."
(Governor Rell, June 28, 2007)

Cost of out-of-school suspension

During the 2006-2007 school year, over 250,000 school days in Connecticut were lost to suspensions. This is the equivalent of marking 1,400 absences per day. As Governor Rell pointed out, there is a tremendous educational and societal cost when students are forced to miss so many days of school. Students simply cannot learn when they are not in school. They miss the opportunities to grow academically and, just as important, the opportunity to learn from their mistakes. When students return to school after being excluded, they are discouraged by how far they have fallen behind and no longer feel they belong at school. This cycle does not have to continue.

Out-of-school suspension is not only a major factor in the deterioration of a student's academic achievement; it also has become an unintentional reward for bad behavior. A few days out of school is perceived, by some, as a school vacation. If students are not kept in school, they are not held accountable. Police have repeatedly expressed concern about delinquency when students are unsupervised. This is exemplified when in 2007, the Court Support Services Division reported a dramatic 89% of 16 and 17-year olds involved in the juvenile justice system had been suspended or expelled from school.

The misunderstandings of subsection (g) of Sec. 10-233c

We know school leaders have expressed concerns about the new suspension guidelines, which we believe can be mitigated by clarifying the true letter of the law.

Schools will continue to have extensive discretion in determining out-of-school suspension based on level of conduct. The "in-school suspension bill" is not meant to tie the hands of school districts, nor punish them by generalizing disciplinary procedure. Suspension rates among districts varied from 1% to 22%. The focus of the bill is on those districts that are above average.

This piece of legislation is meant to acknowledge that punishment by denying our children their educational opportunity is counterproductive. Extreme measures of discipline should be used only in response to extreme conduct. Everyone recognizes that there are and will continue to be instances when out-of-school suspensions will be appropriate. Delaying implementation of this policy will have little fiscal impact, yet allow the detrimental effect on Connecticut's school children to persist. It is necessary, then, to clarify some of the misunderstandings around this law before such a thing could happen.

Myth: Schools can never use out-of-school suspensions as part of their disciplinary procedure.

Fact: The law states that school's can out-of-school suspend if the pupil poses a danger to persons or property or causes a disruption of the educational process. Discipline of this kind would only require adhering to appropriate guidelines.

Myth: Schools must create a new in-school suspension program.

Fact: Schools do not have to in-school suspend anyone if they do not want to. Schools are not required to create an in-school suspension program at all. An alternative program, like Saturday detention would be perfectly acceptable.

As I mentioned before, schools will be free to impose a wide range of disciplinary options, entirely within their discretion. These could take form in detention, reprimands, withdrawal of privileges, community services and any other method the school deems suitable. It is critical that Connecticut stay on track with the implementation of the "in-school suspension bill" set for July 1, 2009. The Alliance understands many schools will need to re-evaluate their discipline procedures, but that is not a reason to delay. The cost of denying students their education under the guise of punishment is too great.

Thank you for your time and attention to this most important matter; please do not hesitate to let me know if I can provide additional information.